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UNCLAS THE HAGUE 003113

SIPDIS

STATE FOR L/LEI AND EUR/UBI  
JUSTICE FOR OIA/JFRIEDMAN

E.O. 12958: N/A

TAGS: [CJAN](#) [PREL](#) [CVIS](#) [KCRM](#) [NL](#)

SUBJECT: EXTRADITION: NETHERLANDS: ANTONIO BENTE BEMBE CASE  
DISMISSED

REF: THE HAGUE 3043

1. Summary: The Hague District Court dismissed the extradition case of Antonio Bente Bembe on November 15, as he was no longer in custody and appeared to have fled the country. Because Dutch law requires that the person to be extradited be physically present in the Netherlands when the extradition request is considered, the court was required to dismiss the case. If Bembe is eventually located in the Netherlands and re-arrested, the extradition request could be resubmitted. End summary.

2. Bembe was released from detention on October 4, following a second postponement of his extradition hearing, on condition that he report daily to the police. He did so until Sunday, November 4, but has since "gone missing." Police efforts to locate him proved unsuccessful. As expected, he did not show up at the November 15 court hearing, and no one could provide information on his whereabouts.

3. Court proceedings had previously been adjourned because the court wanted additional information from the MFA on the MFA's reasons for issuing Bembe a visa, despite the existence of an Interpol Red Notice. At the November 15 court hearing, the Chief Judge expressed irritation about the inconsistencies in the consecutive replies that the MFA had provided, for instance on the number of times MFA officials had met with Bembe. He charged that information was "deliberately withheld for political reasons."

4. During the hearing, the Chief Judge stated, "I hope Bembe was not kidnapped." Bembe's defense attorney responded that there was no need to worry about a kidnapping, as the MFA had been in contact with Bembe following his failure to report to the police two weeks ago. Senior MFA official Pieter de Gooijer flatly denied to the Charge, however, that the MFA had had contact with Bembe following his disappearance.

5. Of particular note was a recent letter to the Court from the Government of Angola granting "General Amnesty" to all those involved in the Angolan conflict (including Bembe) which ended three years ago. After reading the letter in court, the Chief Judge noted that the Angolan amnesty did not apply to contravene the laws of the United States, which was the issue before them.

6. The hearing was well attended, with the courtroom filled to capacity. In addition to the FBI Assistant Legal Attache for The Hague, two FBI Special Agents from the Washington Field Office who are assigned to the Bembe investigation were present for this hearing. Also present were representatives from the Dutch National Police (KLPD) and the Ministry of Justice, as well as numerous reporters and a number of Angolans. The Angolan government had been lobbying for Bembe's release.

Blakeman